SEMINOLE COUNTY GOVERNMENT BOARD OF ADJUSTMENT AGENDA MEMORANDUM

SUBJECT: 2321 Palm Drive – James & Jen Richardson, applicant; request for 1) a front yard setback variance from 25 feet to 7 feet for an existing carport and covered front porch and 2) a rear yard setback variance from 25 feet to 7.5 feet to construct a roof deck over existing patio in R-1 (Single Family Dwelling District).

DEPARTMENT:	Planning & Dev	velopment	_ DIVISION:	Plann	ing
AUTHORIZED BY:	Kathy Fall	CONTACT:	Denny Gibbs	EXT.	7387
Agenda Date 1/22/07 Regular Consent Public Hearing – 6:00					

MOTION/RECOMMENDATION:

- <u>DENY</u> the request for 1) a front yard setback variance from 25 feet to 7 feet for an existing carport and covered front porch and 2) a rear yard setback variance from 25 feet to 7.5 feet to construct a roof deck over existing patio in R-1 (Single Family Dwelling District); or
- 2. APPROVE the request for 1) a front yard setback variance from 25 feet to 7 feet for an existing carport and covered front porch and 2) a rear yard setback variance from 25 feet to 7.5 feet to construct a roof deck over existing patio in R-1 (Single Family Dwelling District); or
- 3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location:	James & Jen Richardson 2321 Palm Drive
	Zoning:	R-1 (Single Family Dwelling District)
	Subdivision:	Lake Jessup Heights
BACKGROUND / REQUEST	 The applicant is requesting approval for an existing of port and covered porch that encroaches 18 feet into the required 25-foot front yard setback. 	
	over exi	licant also proposes to construct a roof deck sting concrete patio in the rear that would 17.5 feet into the required 25-foot rear yard Applicant specified that the existing patio roof

	structure to the south of concrete patio in rear will be removed.
	 There is currently a building violation on this property for 1) un-permitted construction of car port and covered front porch and 2) roof deck added to rear of house.
	 There is no record of prior variances for this property.
STAFF FINDINGS	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:
	 No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district. Special conditions and circumstances result from the actions of the applicant.
	The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.
	 The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.
	 The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.
	 The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.
	 The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	 Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate a hardship. If the Board should decide to grant a variance, staff recommends the following conditions of approval:
	 Any variance granted shall apply only to the 1) existing car port and covered porch and 2) the roof deck over existing patio in rear as depicted on the attached site plan; and
	The applicant shall remove the existing patio roof structure to the south of concrete patio in rear.
	 Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.

INDEX OF ATTACHMENTS

Items that are checked are included in the packet

	PUD Commitment Card, if applicable
\boxtimes	Application
	Authorization letter
	Applicant statement of request
\boxtimes	Proposed Development Order
\boxtimes	Proposed Site Plan
	Proposed elevation drawings, renderings, floor plans, etc
\boxtimes	Property Appraiser data sheet
\boxtimes	Location map
Supp	ort information:
	Aerials, if warranted
	Plat, if warranted
\boxtimes	Code Enforcement information
\boxtimes	Building Permit information
	Correspondence
	Supporting documentation
	Letters of support
	HOA approval letter
	Pictures provided by applicant
	Other miscellaneous documents

Fee: \$150.00 plus \$50.00 for e car (c) Frai v riance

Application # BV 1006-21 Meeting Date 1-11-07



VARIANCE APPLICATION SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 665-7444

PERTY OWNER / APPLICANT (I	f you are not the owner t	olease provic	le a letter of authorizatio	n from the ow	
e: Jamus Richa	mson a Je	17 13	C MCGC1 SCOVI		
ess: 2321 Palm 1	水 华屋	City:	NViecla Zipo	code: <u>3274</u>	
ect Address: SANG		City:	Zip o	code:	
act number(s): 407-461	-1369			* 11 A A A A A A A A A A A A A A A A A A	
il address:			umaussagfi and same same same same same same same same		
e property available for inspecti	ion without an appoir	ntment?	Yes No		
What Type of Structures in	ร์สเติอไปตระไม่เอาร์				
[] Shed	Please describe:				
[] Fence	Please describe:	0	ECENEU		
[] Pool	Please describe:		0506		
[] Pool screen enclosure	Please describe:		101 5 1 520g		
[] Addition	Please describe:		PLANNINGCONSION		
[] New Single Family Home	Please describe:		PLANNIN		
[] Other	Please describe:	\			
This request is for a struct	ure that has already l	been built.	Existing conserv	touclesale	
Wiakypeolvarianceisthi					
Minimum lot size	Required lot size:		Actual lot size:		
[] Width at the building line	Required lot width:		Actual lot width:		
Front yard setback	Required setback:	25	Proposed setback:	1751	
Rear yard setback	Required setback:	25	Proposed setback:	7828	
[] Side yard setback	Required setback:		Proposed setback:		
	Required setback:		Proposed setback:		
[] Fence height	Required height:		Proposed height:		
[] Building height	Required height:		Proposed height:		
Use below for additional yard setback variance requests:					
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Use below for additional yard set	nequired serback.		The state of the s		
yard setback yard setback	Required setback:		Proposed setback:		
[] yard setback	Required setback:		Proposed setback:		

application and submittal checklist are provided to the planning division.

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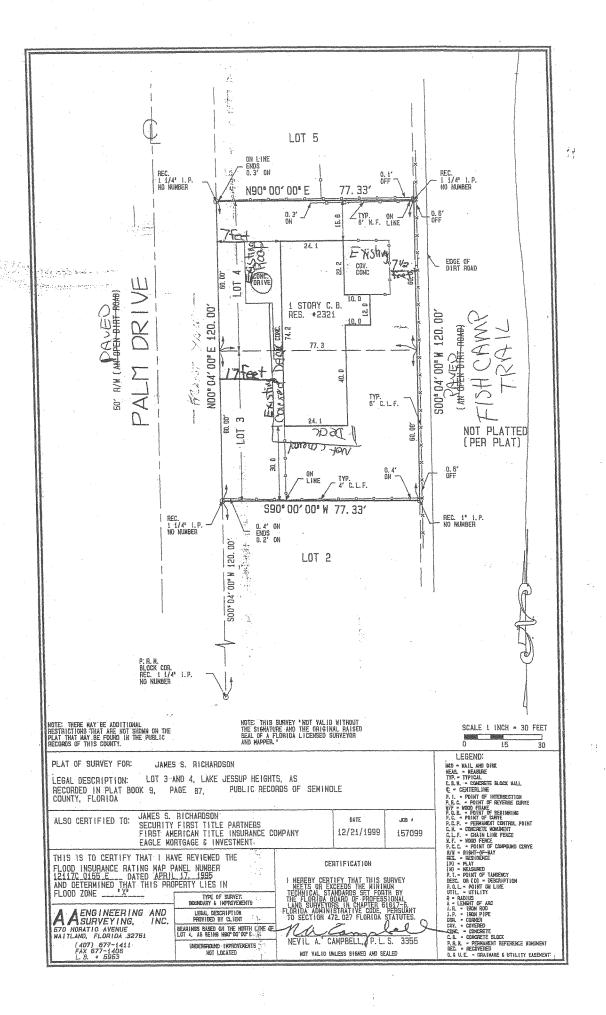
FOR OFFICE USE ONLY

Date Submitted: 12100 Reviewed By: Author Wathing
Tax parcel number: 34-20-31-501-0000-0030 Zoning/FLU LDR K-1
[] Legally created parcel (1971 tax roll, 5-acre dev, lot split)
[] Platted Lot (check easements as shown on lots, in notes or in dedication)
[] Lot size [] Meets minimum size and width
[] Application and checklist complete
Notes: Notes: Notes And Age 104.

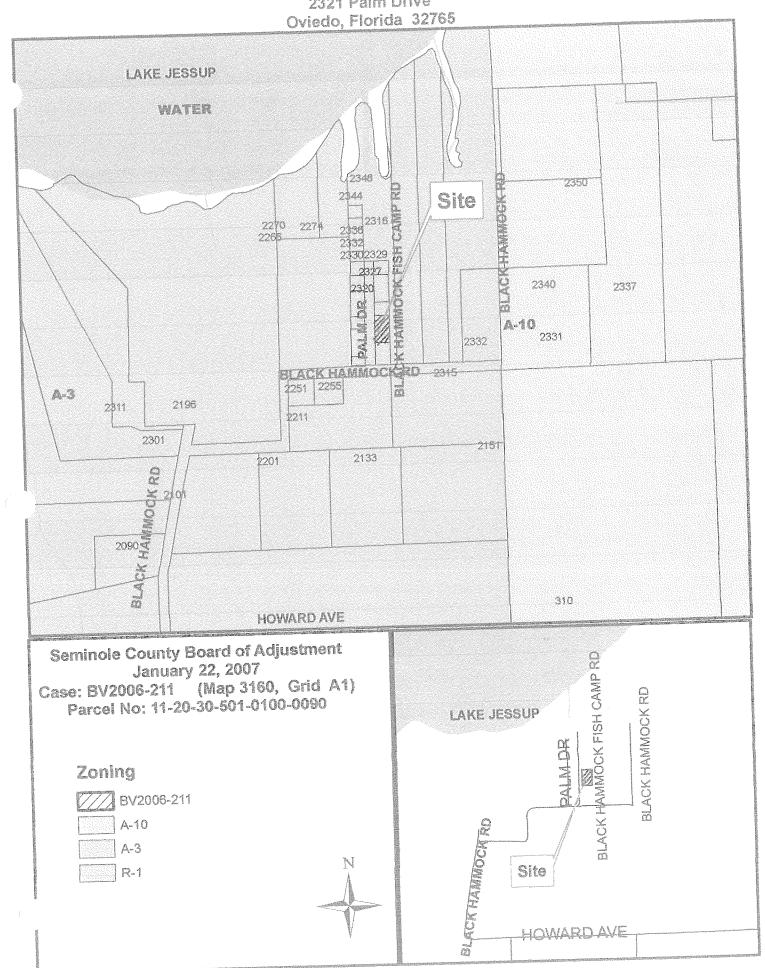
VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to
scheduling of the Board of Adjustment hearing.
1. Completed application.
2. Owner's authorization letter (if needed). This form can be obtained at
http://www.seminolecountyfl.gov/pd/planning/forms.asp
3. Provide a legible 8 ½ x 11 inch site plan with the following information
NOTE: Please use your property survey for your site plan, if available.
See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
Please start with a clean survey (ex: white out old approval stamps)
Size and dimension of the parcel
Location and name of all abutting streets
o Location of driveways
Location, size and type of any septic systems, drainfield and wells
o Location of all easements
 Existing or proposed house or addition (Label existing, label proposed, and include square footage and dimensions of each)
o Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
o Building height
Setbacks from each building to the property lines
contion of proposed fence(s)
o Identification of available utilities
(ex: water, sewer, well or septic)
Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

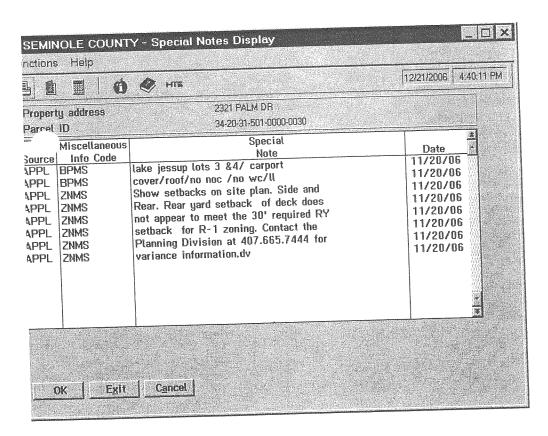


Jen & James Richardson 2321 Palm Drive

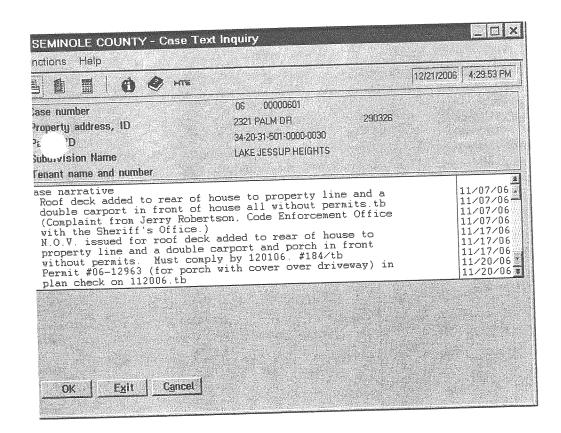


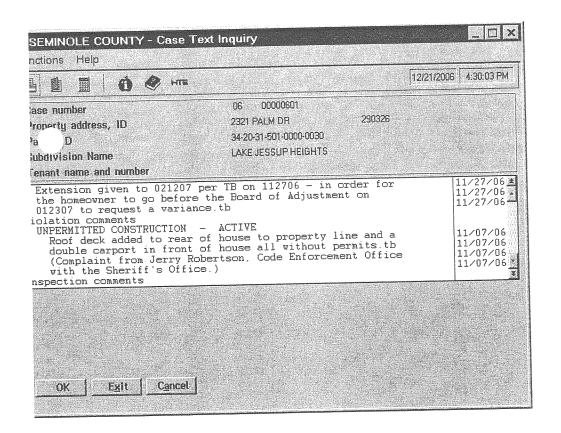
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407-665-750	5	population		
			2007 WORKING VALUE SUMMARY	
		permissions	Value Method: Market	
	GENERAL	NAMES THE PROPERTY OF THE PROP	Number of 1 Buildings:	
İ	Parcel Id: 34-20-31-501-0000-0030 Owner: CONFIDENTIAL PER STA	ATUTES	Depreciated Bldg \$101,763 Value:	And a common and a
	wn/Addr: 119.071 Address: 1101 E 1ST ST	musionichie (IIII)	Depreciated EXFT \$1,971 Value:	AND AND PROPERTY OF THE PROPER
City,State	ZipCode: SANFORD FL 32771	A CONTRACTOR OF THE CONTRACTOR	Land Value \$33,600 (Market):	The second secon
Property	Address: on Name: LAKE JESSUP HEIGHTS		Land Value Ag: \$0	
Subdivisi Ta	x District: 01-COUNTY-TX DIST 1		Just/Market \$137,334 Value:	na.
	emptions: Dor: 01-SINGLE FAMILY		Assessed Value \$137,334 (SOH):	жение по
	DOL' ALAMONT LIMITAL		Exempt Value: \$0	
			Taxable Value: \$137,334	+
			Tax Estimator	
Deed WARRANTY DEED	Date Book Page Amount Va 01/2000 03784 0916 \$77,100 lm		2006 VALUE SUN 2006 Tax Bill Amoun	
WARRANTY	03/1993 02565 0232 \$70,000 lm	proved Yes	2006 Taxable Value	e: \$137,95
DEED WARRANTY DEED	03/1978 01161 0097 \$4,500 Va		DOES NOT INCLUDE NO	N-AD VALORE ASSESSMENT
WARRANTY DEED	01/1977 01127 0047 \$100 Va			
Fino	Comparable Sales within this Subdiv	vision		
	LAND		LEGAL DESCRIPTION	
Land Assess		Jnit Land Price Value	LEG LOTS 3 & 4 LAKE	
Method	Citto .		JESSUP HEIGHTS PB 9 PG 87	
FRONT FOOT 8	120 77 .000	400.00 \$33,60		
Limit (1)	BUILDING INF	ORMATION		
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Appendage		J UU		**************************************
Appendag	e / Sqft BASE / 1008 age Codes included in Living Area: B.	ase. Unner Storv	Base, Upper Story Finished,	Accident
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	and the second		lue Est. Cost New	
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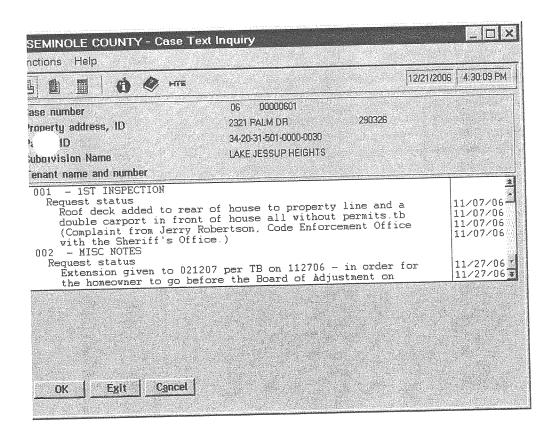
LOCATION OF VIOLATION:	23210 PALM UK
IN ACCORDANCE WITH SEMI	NOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT
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FAILURE TO CORRECT THE AR	SOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED
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IF CHECKED, A LICENSE F	REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE
CONTRACTOR VIOLATION	IS.
	For further information contact:
	Building and Fire Inspection Division
	Seminole County Services Building
SEMINIOLE COLINTY	1101 East First Street, Room 1020
FLORIDA'S NATURAL CHOICE	Sanford, FL 32771
	PHONE: (407) 665-7338 OR (407) 665-7423
4-11-17-0	5/11 / OWS
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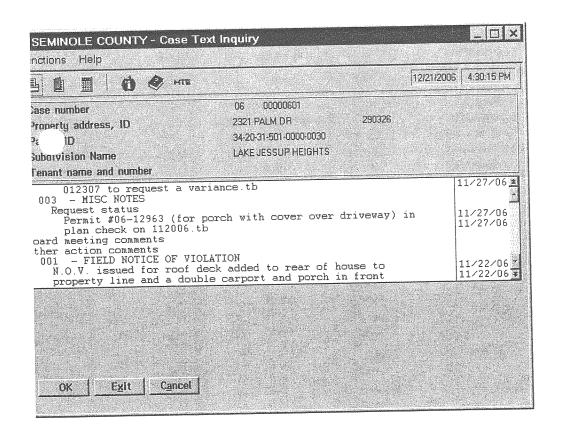


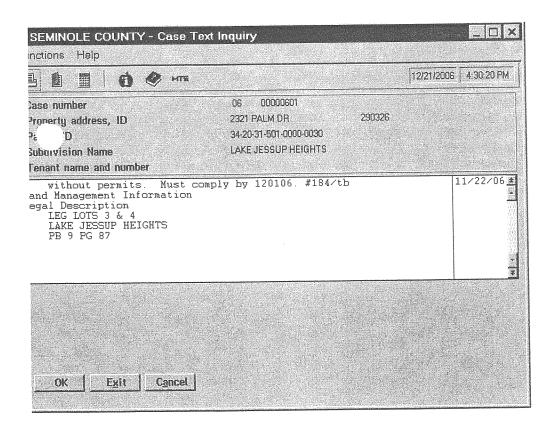
06-13963











FILE NO.: BV 2006-211

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 22, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOTS 3 + 4 LAKE JESSUP HEIGHTS PB 9 PG 87

(The aforedescribed legal description has been provided to Seminole County by the owner of the aforedescribed property.)

FINDINGS OF FACT

Property Owner:

James & Jen Richardson

2321 Palm Drive Oviedo FL 32765

Project Name:

Palm Drive (2321)

Requested Development Approval:

Request for 1) a front yard setback variance from 25 feet to 7 feet for an existing carport and 2) a rear yard setback variance from 25 feet to 7.5 feet to construct a roof deck over existing patio in R-1 (Single Family Dwelling District)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforedescribed property.

> Prepared by: Denny Gibbs, Senior Planner 1101 East First Street Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - 1. The variance granted will apply only to the 1) existing car port and covered porch and 2) the roof deck over existing patio in rear as depicted on the attached site plan.
 - 2. The applicant shall remove the existing patio roof structure to the south of concrete patio in rear.
- (4) This Development Order touches and concerns the aforedescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and	Ordered	on the	date first	written	above.

bone and ordered on the date mat wit	ittell above.
	Rv.
	By:April Boswell, AICP Planning Manager
STATE OF FLORIDA) COUNTY OF SEMINOLE)	
and County aforesaid to take who is per	efore me, an officer duly authorized in the State acknowledgments, personally appeared rsonally known to me or who has produced nd who executed the foregoing instrument.
WITNESS my hand and official sealday of, 20	in the County and State last aforesaid this 007.
	Notary Public, in and for the County and State Aforementioned
	My Commission Expires: